

A Collection

App. F. IX-4

1936

File No. 11-34

Previous References

Revised 10-27 (1-2)

(Lugis)

Serial Nos. 1

Later References



GENERAL AND REVENUE SECRETARIAT

Serial Nos. one

A proceedings

Manuscript

Part B for July 1936

SUBJECT.

Regulation further amended
the Mysore Registration Regulation

G.O. No. 850 of 31-7-36.

To be compiled

Order as to publication of the
Regulation further amended
Mysore Registration Regulation as Reg. No.
VII of 1936.

M. G. M. G.

10/9/36

Serial
No.

23

From the D.C. of Registration
Letter No. C-291/31-32 Dy.
states that he has reversed the order
suspension passed by the Dy. Reg.
on an ex-officio Sub-Registration as
he has referred the case to Govt.
desired by the Dy. Commr. who cont.
that he has full powers as Dy. Commr.
pass such orders on Ex-officio Sub.
who are also Taluk Sherikadas
notes for order.

"The records may, I think be called &
perused before arriving at a decision in
(22) B.S.

(Dy. Commr. allowed to answer
such matters" (22) B.S.

sub. It is not usual for law
to appear in such personal &
offls (22) B.S., & v.

"Draft subd"

(22) B.S., & v.

24

To the D.C. R. - Letter No. 48.493
Balls for records.

26

From the D.C. R. - Letter No. C.291/3
Dy 157/31 - forwarded the record called

The main point involved in this case
whether the Inspector General of Registration
has power to interfere in the order
passed in the case of an Ex-officio Sub
who is also a Taluk Sherikadas by the Dy

who is also a District Registrar - It is therefore perhaps unnecessary to enter into the merits and demerits of the actual facts & circumstances leading to the order of suspension except to the extent necessary to examine the main issue referred to.

7 page 1 of the records shows that the case was handled by the Dy. Comm^r as District Registrar. The deposition of parties concerned are taken by the Dy. Registrar in his own hand - vide pp 4-8. The order was also passed by the Dy. Registrar and it is in his own writing under this designation.

8 ~~the~~ Instructions to Amildar & SDO Mysore have been issued under the designation of Dy. Comm^r. - pp 18-19 of records ⁻²⁷⁻³⁰⁻³⁸⁻⁴²
The I.G. of Registration was also addressed ~~in~~ by the Dy. Comm^r as such. pp 41 of records
The I.G.R. replies to the Dy. Registrar 21 F

9 If it is held that the Ex-officio Sub-Registrar be retained in this case strictly as an officer of the registration Dept. as maintained by the I.G.R. then the Amildar who seems to have initiated the case has no locus standi and the proceedings taken by this officer are ultra vires. ~~even~~ If it is held on the contrary that the Amildar took proceedings on the ground that

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The Ex-officio Sub-Registrar was a. She and was primarily an officer of the Rev. even then his power to take similar action against the conduct of the Registration is over whom he had no jurisdiction can be challenged. In any case, it cannot be said that this is purely a matter pertaining to the ~~the~~ Registration Dept.

10 It may also be noticed that the Sub-Dy. officer through whom correspondence has passed has no place in the Regis. Dept. except as an ex-officio Inspector of offices. But the records do not show the Sub-Dy. officer ever functioned in any case in his capacity as an Ex-officio Inspector.

11 It is thus abundantly clear that there was no conscious ^{discrimination} ~~discrimination~~ on the part of these officers while acting in their capacities — as officers of the Rev. Dept. as Ex-officio officers of the Regis. Dept. as to their respective powers & functions in the two Depts. The Dy. Commr's present ~~pos.~~ ^{contention} after reversal of his order by the Sd. of Regis. Dept.

12 The rules also may be examined in this case. The Circular No. 119-26 - pp. 13 of the Manual - vol II put up, which the S. G. R. is in support of his contention ~~does not~~ refer to Sub-Registrar in general terms and does not specifically refer to the Spl. or Ex-officio

Sub-Registrars. But the subsequent Govt order no. H. 2823/Regis. 10-28 of 6/10/28 is more definite in that the latter clearly mentions ~~the~~ only the first and 2nd grade Sub-Registrars come within the purview of this order and the Ex-officio Sub-Registrars are not explicitly mentioned here whether it was or was not the intention of Govt while passing this order to restrict the powers of the SGR in the matter of punishment, etc. only to the Special Sub-Registrars is a point for consideration now. At any rate the discussions in the file do not disclose this aspect having at any stage been considered.

13 In the interests of uniformity of procedure in maintaining discipline in the Dept. the SGR as Head of the Dept. of Registration may wish to exercise the same appellate powers over all Sub-Registrars alike without distinction as Spl. or Ex-Officio Sub-Registrars in the matters of discipline -

Subd. for order

3/11/28
3/12/28

14 Under Section 12 of the Registration Regn. as it stood before the amendment of 1928, the suspension of a Sub-Reg^r could be ordered ^{only} by Govt. as the appointing Authority. But the amendment of 1928 power was taken under Sec 6 to delegate to the Dy

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of Regⁿ the power of appointing Sub Registrars, as under Sec 12 ~~was~~ the D. G. was empowered, subject to conditions & restrictions imposed by G.O., to exercise the power of punishment in the case of Sub Registrars appointed

16 In the G.O. notification of 8-10-28 issued under the new provision referred to, the D. G. was delegated the power of appointing & punishing Special Sub Registrars, and there is no reference in it to Ex-Officio Sub Registrars who are also appointed under the Regulations.

17 So the power of suspending or otherwise punishing the Ex-Officio Sub Registrars vests with G. and neither the D. G. nor the District Registrar can suspend an Ex-Officio Sub Reg^r, though of course this is an anomaly.

18 In the above view, the G.O. have to consider the present case on the merits and pass orders regarding the punishment of the Ex-Officio Sub Reg^r of Heggadewankote. Action has perhaps also been taken to set right the anomaly referred to.

For order.

Fm Secy)

H. H.
8/2

19 The records may be examined and a report put up on the merits of the case.

Please see A in the D. Registrar's letter.

This is the most important point for

consideration and order.

H
13/2/32
H. H.

[Under the Circular of 8-8-1899, the D. G. however, seems to have been the power of suspending such an officer for not more than 3 months & what the case for order of G.O.]

5937

8/2

16 powers of the Dy. Commr re: suspension
of Ex. Officio Sub-Registrar.

Regis File No. 3

of 1931.

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21 The first record when opens the case is the letter of Mr. B. Dasappa of 3.1.1931. The letter is addressed to the Registration Clerk ~~and~~ and refers to the general presumption of corruption in Sub-Registry Offices. It anticipates that the Registration Clerk may demand illegal gratification. So far as the case of Sub-Registrar is concerned, ^{the letter is silent} ~~this letter is valueless~~. The letter does not say whether details of the document copy of which was required were available, whether the search to be made related to single or general search. One of the grounds of appeal both of Narasimhaiah and of Mr. Shivadaswamy is that a sum of Rs. 10/- was not demanded & that with ulterior motives & that even if that sum had been demanded, as alleged, it was not wrong in view of the fact that Rs. 10/- is the maximum ^{fees} ~~limit~~ payable for general searches. This ground is strengthened by the fact that there was no application from the party for a search & in the absence of materials for a search, the Sub-Registry office seems justified in demanding the maximum fees of Rs. 10/- to be on safe side. The case would have been different if any amount in excess of the scheduled fees had been paid & receipt ~~has~~ issued for less amount or if the appⁿ for search

x vide para VI (a) ii - note (1)
pp. 68 of Regis. Manual
Vol. I

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pp. 26 of the
record.

had been filed before the Sub-Registrar.
2! In his statement dated 10/5/31, before
me Amildar, Kulla Chennafowda who
accompanied the complainant Jafar
Setty alias Sudda Setty says that the
Registration Clerk demanded Rs. 10/-
Jafar Setty but that the latter offered
~~Rs. 6/-~~ Rs. 6/- & pleaded poverty & inability
to pay more. It is stated further that
that the said Clerk went to the Sub-
Registrar & returned after consulting
him & said told the complainant,
nothing less than Rs. 10/- could be accepted.
There is no evidence to show that the
Registration Clerk consulted the Sub-
Registrar about the alleged illegal
fratification. The Dy. Registrar in his
order of suspension concedes that it
is not known what transpired when
the Regis. Clerk met the Sub-Registrar
& consulted him. There is nothing to
prevent the assumption that the Regis.
Clerk might have consulted the
Sub-Registrar about the desirability
of taking the maximum fees of Rs.
under the Rules as materials for
search were not produced by the
party in the form of an application.
If this were the case, it is bonafide.

8 powers of the D.C. re suspension
of ex-officio Sub-Registrar

Regis File No.

3

of 1931

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The entire case ~~revolves around one central~~
~~point~~ depends upon the decision whether
a sum of Rs. 10/- was demanded, whether
the Ex-officio Sub-Registrar was privy
to it, whether, if it were so demanded,
it was ~~not~~ demanded as the maximum
fees payable under the rules or with ulterior
motives.

22. As regards point (1) ~~the~~ both the Sub-
Registrar & the Clerk deny having demanded
the amount while the complainant and
the witnesses aver that it was so
demanded. (2) There is nothing to show
that the ^{Sub-}Registrar was privy to it, if true
since the District Registrar in his order
of suspension admits that nothing is
known on what point the Registration
Clerk consulted the Sub-Registrar.
(3) The Sub-Registrar & the Clerk protest
that even if Rs. 10/- had been demanded
as alleged, they were still within law
since there was no appⁿ from the party
to determine the fees payable in the
case. It was later on that ~~and appⁿ~~
~~was~~ under the orders of the Sub-D^y Officer
that a copy was prepared & given to the
party concerned.

23. In his appeal petⁿ, the ^{Ex-officio} Sub-Registrar
(Shenistadar) alleges ill-will between
himself & the Amildar. This is now

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Substantiated by the Sub-Registrar in
has this point been examined ~~that~~ by
the investigating officers. The Sub-Regi
seems to deserve at least the benefit of
doubt in this case. The general prevalence
a presumption of corruption ^{in Sub-Registry off} may not per
be the reason or ~~the~~ the main ground to
adjudge an official guilty ^(on circumstantial evidence) if there is not
good evidence otherwise to prove his guilt

Subd for orders.

12/3/32
4

24 The above office note
explains the ~~whole~~ case

fully & clearly. The party concerned
in this case is Srida Seng son of
Jade Seng examined by the Dy. Comr.
The 1st witness. In his deposition the
reference to the Taluk Shri is as follows:—

"He took a paper to the District
(Nannaboyy)

Srinivasa Swami and again said

"Can't be done".

25 Barring this solitary reference to the Shri
there is absolutely nothing else brought
in the depositions of the witnesses and
It is on this that the Shri has been for

26 As regards the Registrar's clerk Nam
it is clear from the evidence recorded.
Although Srida Seng went to his home
The letter of W.C. Dasappa he looked into

6918

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Department who are indulging in this
refractory practice".

28 The Amildar had no locus standi in
this case. The Ex Officio Sub. Dept. was right
in having refused to under his explanation to
the Amildar. Whatever their relations
might have been as Amildar & Pk Shv, ^{these cases} ~~they~~
SLs & R have been brought in, in their
Capacities as Amildar & Ex Officio Sub. Dept.
But human weaknesses is such that it does
not allow of such dispassionate conduct in
different Capacities. The Shv has stated
that he ~~did~~ not want the case to be enquired
into by the Sub. Div. Officer as he was, according
to him, prejudiced against him.

So far as the merits of the case
are concerned, there does not appear to
be much of a case against the Quamash
and much less against the ~~Sub. Div. Officer~~
Ex. Officio Sub. Dept.

For: Secy

88
12/3/32

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That - made against the Ryot clerk Narsimayya are unimpeachable. The D.R. appears to have been influenced by the report of the S.D.O. and does not seem to ^{have} properly weighed the evidence produced before him. I would only invite reference to the note made by Mr. Wajid in a slip of 4.5.31 (page 32 of the records) immediately on receipt of the S.D.O.'s report. Enquiry before the D.R. was taken in on the 16th idar. The most important point which has been overlooked ^{is} in the case ~~is~~ the fact of no application for a copy, been presented in the day in which the ~~stoppage~~ ^{stoppage} fee is said to have been demanded.

32 The complainant admits that - he had not taken an application to the ^{first} ~~first~~ day - He did not take to the Sheristadar - Mr. C. Dasappa, the principal person, in the proceedings did not also write any note to the Sub Registrar's office.

In the face of these admissions, it is difficult to understand what the staff of the Sub Registry office has failed to do and how an allegation of attempted malpractice can be made the occasion for punishing them.

33 The evidence of the witnesses appears to be discrepant material particulars - Mr. Dasappa states that - the complainant saw him again the 3rd day after he gave the first letter in on 30.1.31. This is not correct. ~~Kutta channa~~ Kutta channa ^{mentioned} ~~mentioned~~ the incident to every one except to the Assistant when he examined him ^{Some months after} ~~in~~ in May 1931.

According to him it was evening of the time he ~~the~~ complainant reached the village - But

powers re: punishment of Ex-officio
Sub-Registrars 15

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(ii) As regards Bombay, no information available here.

Re: Nadur - Kind ref. is invited to pp. 4 of Nadur Regis. Manual - from which it will be seen that there are only five Sub-DR the charge which is held by a Revenue Officer Ex-officio. - under para 131(a)-1 of the same Manual - vacancies of duration not exceeding four months among Sub-Registrars ~~can~~ be filled in from the DR Staff. clause (b) lays down that this ~~pro~~ should be resorted to in emergency only.

No provision is traceable in Rules empowering DR Registrars to punish Ex-officio Sub-Registrar. As regards powers to punish Sub-please see para 41 - pp. 9 of the Manual. The rule is similar to that prev here. It is only the J. G. R. who has power to suspend etc. Sub-off of the lower grade and Govt. sanction is necessary in the case of punishment meted out to Sub-off of higher grade. Under para 46-11 - The J. G. R. is the final authority in the case of all officers of & above

16 26

33521

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the rank of pr. Sub-Registrar & the Registrar
in the case of blanks.

(iii) No such case is traceable
to have occurred in the past

7395 (In this connection, kind ref. is invited
to paras 1043-1066-PP-332-336
of the Manual for the procedure for
the conduct of enquiries)

Manual para 1043-1066-PP-332-336

Fin. Secy)

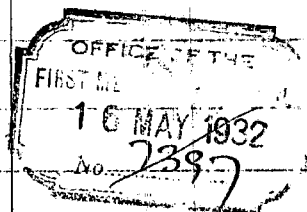
/- M. S. S. S.

8/6/32

4/16/32

8214

7/5



8297/17-6

Under the existing orders, a District Registrar is not empowered to punish ex-officio Sub-Registrars. The District Registrar, Mysore, was, therefore, not right in placing under suspension the ex-officio Sub-Registrar of the Heggaddevankote Taluk.

There is no provision in the Registration Regulation or the Rules thereunder allowing appeals to the Inspector-General of Registration against orders passed by a District Registrar in regard to the conduct of the ex-officio Sub-Registrars. The entertainment, therefore, by the Inspector-General of Registration of the appeal of Mr. M.V.Srinivasaswami against the order of the District Registrar, Mysore, was not in order. The Circular dated 19th August 1899 has been superseded by the G.O. dated 8th October 1928.

The latter order refers to Special Sub-Registrars

, and

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and not to ex-officio Sub-Registrars. The Inspector-General was, therefore, not right in relying upon the two authorities in entertaining the appeal and in reversing the order of the District Registrar.

4. The records show that the evidence against the ex-officio Sub-Registrar and the Clerk is not conclusive for establishing that they demanded an excessive fee with a corrupt motive. The period of their absence from duty will be treated as leave according to the view expressed by the Inspector-General of Registration.

5. The Deputy Commissioner and the Inspector-General of Registration have allowed lawyers to appear before them and to argue the cases of the ex-officio Sub-Registrar and the Clerk. There was no need for permitting this procedure. Enquiries into the conduct of Government officers in regard to acts in their official capacity should be made by the duly constituted departmental authorities, and except in very exceptional cases, it should not be necessary to permit such officers to present their cases through Counsel.

6. District Registrars have now no disciplinary powers over Sub-Registrars, whether Special or Ex-officio. This arrangement is not satisfactory. Some powers of punishment should be delegated to District Registrars in respect of both classes of Sub-Registrars. The Inspector-General of Registration may be vested with appellate and revisional powers in respect of orders passed by District Registrars in regard to Special Sub-Registrars. In the case

ex-officio

Ex-officio Sub-Registrars, however, such powers cannot be vested in the Inspector-General as the Taluk Sheristadars and Deputy Amildars who perform Registration duties, are officers of another department altogether. Appeals against, and representations for revision of orders passed by District Registrars in the case of ex-officio Sub-Registrars might be submitted to Government for orders through the Inspector-General of Registration. As regards the lines on which the G.O. dated 8th October 1928 might be modified, the Inspector-General of Registration might be consulted.

Orders on the case may be passed once for all after the question of modification of the order of 8th October 1928 is settled.

mule

21/6/32

First letter to D.G.R. Subd. (vide Kambe's order in the last para of his minute above)

TAM 24/6

Issue

22/6/32

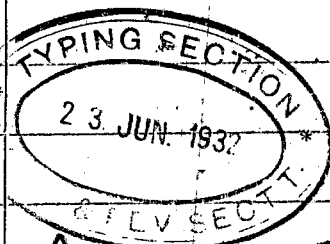
To the D. G. R. - Letter No. 4.9/104 & 94/32 37
Calls for proposals for revision of the G.O. of 8th Oct. 1928.

from the D. G. of Registration

Letter No. 6.29/31-32 & 9-7-1932

- submit proposals in the matter.

As the D. G. R. says that his suggestions involve amendment of the Regulations.



6/5/32

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and this is examined below.

Suggestion I (a) — No amendment of Regulation is necessary to adopt this proposal as the Regs. Regulation provide for the suspension of Ex-Officio Sub-Registrars. It appears enough is embodied in a notification.

Suggestion I (b) — This involves amendment of Section ~~12~~ 12. At present under the Regulation, the powers of appointment and punishment are co-extensive, Govt. officers appointed by them and they have power to punish officers appointed by them. So far as Sub-Registrars are concerned both Spl. and Ex-officio — the Reg. of the D. has no independent power of appointment except for the power under Sec 11 of filling up casual vacancies among Sub-Registrars. This suggestion involves therefore two principles viz (1) that the powers to appoint have to be divorced from the power to punish and (2) that the Regulation be amended.

Formerly, Govt. was the appointing & punishing authority in respect of all Spl. Sub-Registrars under the power was delegated to the D. by amending the Regulation.

I agree.
1/5/17

of 1928 and then the notⁿ of 8th Oct 1928 was issued. Exactly similar course has to be adopted now also, if further delegation to the S^r. Registrar is considered necessary in respect of punishment of Spl. Sub-Registrars.

M

Quite so
18/7/32

Suggestion 2:- The powers of fining Sub-Registrars is outside the purview of the Regulation and this power may be delegated by ~~am~~ modifying the Govt order of 8/10/28 or may be considered ^{when} ~~whether~~ other powers are delegated after amending the Regulation.

Yes
18/7/32

Suggestion 3:- Under Sec. 69 of the Regulation, the S. G. R. has general powers of supervision & control over all registration offices. But appellate and revisional powers in the matter of punishment of Sub-Registrars are not provided for in the Regulation.

This has to be provided now.
18/7/32

Since these proposals involve amendment of the Regulation and consultation with the Law Dept, and approval of the Legislature etc, some delay is likely to occur. It is for consideration, therefore whether orders in the case in question - viz of the Ex-officio Sub-Registrar dealt with in this file may not issue & the general question pursued thereafter

Perhaps orders may issue in the case if approved.
18/7/32

Sub^d for orders with ref to 7th
Hamber's minute of 21/6/32
18/7/32

In decy

18/7/32

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I think that as suggested in the
para orders may be issued at once on the
particular case and the amendment of
the rules on the lines indicated taken up
later ~~date~~ in the ordinary course
(82 Member).

2 JULY 1932

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21/7

Mule 27/7/32

21/7

Draft Subd. for orders whether
A / the G.O. may be treated as a
order & for printed.

26/7

4th Draft for approval.

A - Perhaps this is not
Necessary.

27/7/32

I. Mr.)

D

2.8.

No G.O. is necessary

Please re-draft as a letter to
Dy R. Copy to Dy Reg. mss.

919

Mule 3/8/32

4/8

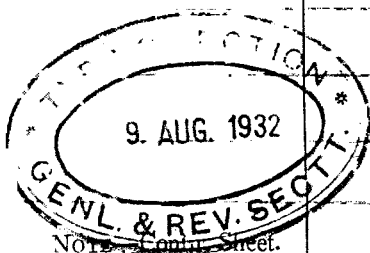
Revised draft Subd

4/8

For approval

Sec. Secy)

4/8/32



Mule 8.8/32

8.8

To the D. G. of Registration

65

Letter No. 74-888 of 12/8/32

States, among other things, that the evidence against the Sub-Registrar & the Clerk is not conclusive & that the period of the absence may be treated as leave.

As regards the amendment of the Regs. Regⁿ proposed inter-alia in this file, the D. G. R. will, if app^d, be requested to ~~forward~~^{suggest} a draft embodying amendments that may be necessary.

Sd/- with a draft

B. 24/8

/

26/8

To the D. G. of Regis - Letter No. 74-1201 of 30/8/32

66

bills for a draft amendment

from the D. G. of Registration

Letter No. C. 291/31-32 of 9/2/34

takes that the proposals of his predecessor are not free from practical difficulties & submit modified proposals for approval.

55 Govt in sl. 57 have indicated their views broadly & the ~~stamp~~^{govt} (in sl. 54) in sl. 64 Sub^d detailed proposals in accordance with the views foreshadowed by Govt & suggested amendment of the Regⁿ. In sl. 66, draft amendments were called for in accordance with the known as contained in the D. G. R.'s letter. What



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was one from the I.G.R. now is only a ~~draft~~ amendment to give effect to the proposal at before Govt. & tacitly appd by Govt. then
 the present I.G.R. does not agree to the proposals of ~~his~~ his predecessor and wants way, to reopen the case. His proposals, on so points run counter ~~to~~ the ~~express~~ views of Govt. contained in S.57. For instance, Govt. have ~~specifically~~ ~~stated~~ definitely stated that the appellate or revisional powers of the I.G.R. should limit selves to the orders of the District Registrars ~~and~~ to Spl. Sub-Registrars only; whereas present I.G.R. wants these revisional powers to all cases. ^{Again} the intention of Govt. is that the Registrars should continue to exercise their power punishing Dy. Amildars functioning as Ex-offo Sub-Registrars. The I.G.R. in clause (d) of his ~~prop~~ want to divest the Registrar of his power as He does not say whether in such cases, a report to be sent to Govt. direct by the Registrar or ~~to~~ himself as I.G.R. He ^{also} does not explain on what grounds the Dy. Amildars (Ex-officio Sub-Registrars) should be separated for this Spl. treatment. If it is the reason that they are primarily officers of Rev. Dept., the argument applies equally well to case of Sheristadars, working as Ex-officio Sub-Registrars.

to the Secy
for orders
By ~~KN~~ ~~24/34~~ ^{24/34}

57) Put up a Circular Memorandum

WD 0434-GPB-15,000-12-10-33

Shun the proposal of the former I.G. The Govt. orders of the present proposal with ~~some~~ ~~changes~~ ~~in~~ ~~the~~ ~~order~~ ~~of~~ ~~the~~ ~~Govt.~~

26/2/34

26.2.34

24

3583
R2583
FL

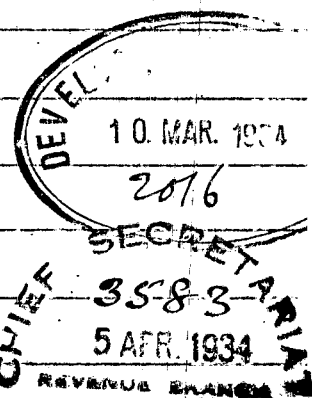
Regu File No.

3

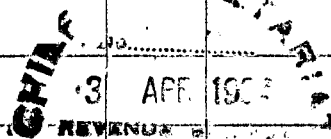
of 193/

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5) Tabular Statement put up below

B.W.
9/3/34Dev. Secy) 88
9.3.34.5) What are the powers of purchase & sale
in Deputy Commissioner or Taluk SheristarsW.
30.3.34.88
31.3.34.6) To the LR Branch for furnishing
the info requiredT.G.
31/3W.B.
2ed
2/4

Subj



Under Rule 7(3) of the LR Rules as recently
modified DCS of Districts have power to
appoint "all officials in the District & subordinate
offices drawing pay not exceeding Rs 80." & the
officers empowered to appoint are competent to
dismiss them by suspending or dismissing them also.

Kind reference in this connection is also

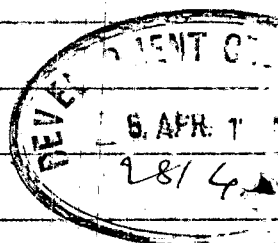
invited to letter No CR 128/30-31 & 3.12.31 from

the Dist Repy in response to the Dy. Repy (Portion marked B)
& to the order of the Dy. Repy & 3.11.31 (Portion marked B).2ed
5/4

Dev. Secy)

C.W. 7/4

62) Reference is invited to paragraphs
38 to 43 & to summary given in Table at top
The I. G. & Registration Secy



Serial
No.

reluctant to give the D.C. as much control as they have over Taluk Sheridars and his but logically they should have the same kind of control over all the clearing work performed by the Sheridar. If this is accepted, there could be no reason why similar powers should not be in them in respect of Spt. Subregistrars. Appellate revisional powers over the orders of the D.C. Registrar may lie with the I & R Spt. as Spt. Sheridar are concerned with Govt in respect of the matter involving Dy. Amildars. In the latter case the app. will be forwarded through the I. G. R. who will submit them to Govt with his own remarks.

45) No good case has been made as to deviate from this logical position and vest the powers of the D.C. As the registration work is only a part of the Sheridar's work. The Smt. Jyoti's proposal that the I & R should have appellate revisional powers over orders of the D.C. Registrar in respect of EX Office Subregistrars is impracticable.

For orders.

Secretary

1
28/4/34

next officers meeting to be held

28/4/34

Rev Mr W.C. for
furnishing information

402
11/5
12-5
Encl

26 25

35-83
R
2553
22

File No.

of 192

General and Revenue
Secretariat

Serial
No.

It is usual to hold the officers' meeting
when officers Dcs are invited to Mysore during
Brisserah. There is no information in the
Branch as to when the next meeting will
be held. Usually Dcs are of Distbs Dir
than the DC Mysore will be invited for the
the Birth Day session of the RA.

Lab 20.7.34
15/5 W.C.

Subd

16/5

Dev. Secy) 16/5/34

See Mr. K. S. S. S.

16.5.34

17.5.34

17.5.34

(65) This may be discussed
Please put up after
the meeting is fixed up

1/12

18/5

18.5.

66) To L.R. Branch for noting if the
Officers' Meeting has since been fixed up

13.2/4

(67) The Branch for no information
as to whether there will be a meeting or not during
the period.

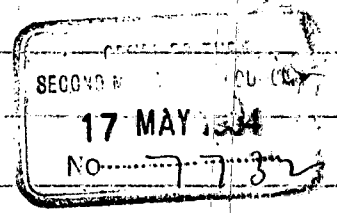
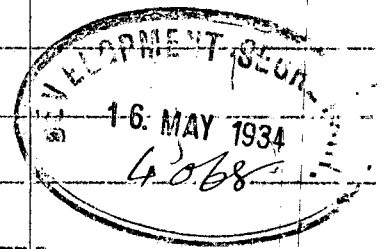
24-9-34

18/5

Subd for further orders.

25/10/34

Gen. Secy) 25/10/34.



2. Disciplinary powers over
Ex-officio Sub-Commission

General and Revenue
Secretariat

File No.

3

of 1931.

[App. F. III-2

Serial
No.

Second number.



20.10.34.

31.10.34.

69) Please bring up the difficulty with be to deprive IGR of appellate powers in view of regn work of Ex-officio Sub.

11/11

12.11.34

70) As regards D^r Reg^r I agree with Mr. Hinganniah's views As regards IGR, he must have appellate powers over all the orders of the D^r R. Got having only the revisional power - Please note if this requires legⁿ

12/12

7.12.34

8.12.34.

71) It appears enough if Sec. 12 is amended. This has already been noted on in detail on pp. 19 & 20 of the notes. The & Law Dept (later) may be consulted, if necessary
10/12/34
Gen. Secy

28²⁸ Regⁿ

3289^{7/11}

Regⁿ File No.

3

of 1931

General and Revenue
Secretariat

12/12/34

11.12.34

11.12.34

11.12.34

11.12.34

156

12/12

12/12

73 See 12 of the Regⁿ Regⁿ has to be amended
amended to incorporate the changes ordered in the
Member's minute in para. 70 supra. Legislation seems
necessary.

15D
14/12/34

74 Please put up an up to date
copy of the Registration Regulation
& the Rules thereunder

15D
14/12/34

75 A copy of the Regⁿ Manual vol I is put up.

15D
14/12/34

76 I think legislation is necessary
to give full effect to the changes
intended ~~in~~ as regards the powers
of appointment etc to be delegated
to the D. Regⁿ & the G. E. R. As regards
the exact form in which this should
be done is a matter on which the
D. E. R. may be first consulted. He
has already said in his letter of 9th Feb
that he would work up the proposals in
more detail after Govt sanction the
same -

Why is an order
not put up
for this?

15D
14/12/34

Gen Secy)

15D
14/12/34

15.12.34.

Disciplinary control of
Ex-officio Sub-Registrars

General and Revenue
Secretariat

Regi. File No.

3

of 193/.

[App. F. III-

Serial
No.

77 A may be done.

15 DEC. 1934

15.12.34

18/12

21/12/34

18/12

78 Draft subd

By 18/12

79 Issue

19.12.34.

Pl 5301 of 24

80 Draft do. reminder is subd.

29/12/35

81 Issue

30/10/35.

Issued No Pl 3483 of 1.11.1935

from the 9-G. of Registration

Letter No. B.291/32-32 dated 15.11.1935
forwards a draft amendment to the Regist
Regulation & a draft NOTⁿ for the approval
of Govt.

82. The NOTⁿ is premature & can be
considered after the amendment is add

Subd with ref. to paras 71 & 76 & 77 of
the file may be referred to Law Dept. for adv

By 19/11/35

Subd to Gen. Secy

19/11

Asst Secy Law for a note.

WD 0434-GPB-15,000-12-10-33

NOTE—Contn. Sheet.

21.11.35

20
30 J.C.

File No.

of 193

General and Revenue
Secretariat

Serial
No.

The amendment to Sec 12(2) suggested
by the J.G.R. will have the effect of
empowering the J.G.R. to suspend,
remove or dismiss any sub-registrar,
whether appointed by him or not,
subject of course to such restrictions
as Govt may impose in this behalf.
The addition of subsec (3) as proposed
will vest similar powers of suspension
and fining in the District Registrars.
The orders of the member passed on 7-12-34
above do not contemplate the enlarging
of the powers of the J.G.R. as regards
punishments he can impose in the
exercise of original jurisdiction. ~~no~~
~~no proposal~~ I therefore think that
amendment of Subsec (2) of Sec 12
as proposed is unnecessary -
I ~~submit~~ ^{submit} ~~and~~ ^{and} that the addition
of subsec (3) to Sec 12 as follows will
be sufficient to achieve the object
intended in this file -

~~The District Registrar~~ ^{by order in writing and}
(3) " A Registrar may, Subject
to such restrictions as the Govt may
impose, suspend or fine any
Sub-Registrar subordinate to him.
Any Sub-Registrar aggrieved by an
order of the Registrar under this section
may appeal to the Inspector General

within 30 days
of the date of
the order

General and Revenue
Secretariat

File No.

of 193 .

[App. F. III-2]

Serial
No.

of Registration whose orders in appeal shall be final.

(4) Notwithstanding anything contained in this section, Govt may call for and examine the records of the proceedings of ~~any Registrar~~ or of any Registrar the Inspector General of Registration ~~passed~~ for the purpose of satisfying itself as to the legality or propriety of any decision or order passed and if in any case it shall appear to the Govt that any decision or order should be modified, annulled or reversed, ~~the~~ Govt may pass such orders as it deems fit."

Gen Secy)

The above ^{note} may be appdHw 14/12
18/12

Hw 14/12

Hw 14/12

Seed member)

The Secy may please speak to me

I agree to the above proposal

Hw

23/12/35

For Measetake further action
acelyHw
23/12

JL3r)

Hw
23/12

RECEIVED
13 DEC. 1935
515

OFFICE OF THE
SECOND MEMBER OF COUNCIL
1-12-35
4658

P. A.
This may be kept
in the Govt. office
for study
Hw
14/12

123

32-32

Reg. File No.

2048

7C

of 193

General and Revenue
Secretariat

4028/35
P

Draft bill with statement of objects
& reasons put up.

By 6/1/36

For perusal; may perhaps be
approved.

Gen. Secy) 7.1.36.

Asst Secy Law to please if this is all right

hw
8/1/36

The draft is I think all right.
It may be adopted.

8
8/1/36.

Gen. Secy) 11/1

Pls please type & put up.

hw
16/1/36

Typed copy put up.

By 24/1/36

8
16/1/36

Gen. Secy) 27.1.36.

Does this require sanction of Mt before publication?

hw
31/1/36

under clause (b) of G.O. no. P.362-70/dsp. 1-30-18
dated 16/7/30, the file may be referred to Council section.

Gen. Secy) 31.1.36. hw

Council Secy -

1/2/36

8.1.2.36

GENERAL SECRETARIAT
7 JAN. 1936
2-32

GENERAL SECRETARIAT
13 JAN. 1936
429

Typing Section wa
17/1

193

GENERAL SECRETARIAT
27 JAN. 1936
208

GENERAL SECRETARIAT
1 FEB. 1936
7

7. 20248

33 33

General and Revenue
Secretariat

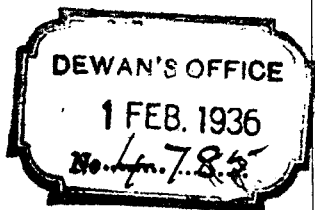
File No.

of 193 .

[App. F: III—2]

Serial
No.

Council matter



C-S Am
9/2

If app^d, this will be circulated

Dewan)

Am
1-2-36

Am
1-2-36

For Disposal by Circulation.

No. C. 185

34, 34

7 1935-28

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

Subject

Bill further to amend the Mysore Registration
Regulation, 1903.

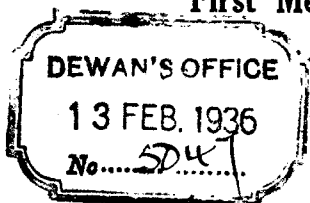
Circulated to the Members of Council.

By Order,

3rd February 1936.

[Signature]
Chief Secretary to Government.

First Member of Council.



*S/102
6/2*

Second Member of Council.

*5853
4/2*

*nu
4/2/36*

S. N. put up.

DEWAN)

*[Signature]
13.2.36*

*M9
14/2*

*8986
7/2/36*

For favour of Final Note.

Second Member)

F.N. Signed by Member.

*[Signature]
6/2/36*

13/10/36

2048
72

33

C. 185

SUBJECT:- Bill further to amend the
Mysore Registration Regulation, 1903.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Head-quarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*
31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

M. Venkatesa lyengar
Secy
for Chief Secretary to Government.

Through the Secretary to Government,

General Department.

tho
19/2

FIRST MEMBER OF COUNCIL.

tho
19/2

SECOND MEMBER OF COUNCIL.

nu
20/2/21

Gen. Secy in-Compliment

tho
20/2

(legi)
one
20/2

FLB

5971
19.2

6366
19/2

Record of Cases submitted for the Orders of
His Highness the Maharaja.



Subject.

Bill further to amend the
Mysore Registration Regulation, 1903.

C. Sagar
M
18.2.36

421

Order.

KRM
17-2-36

Submitted to His Highness.

I submit herewith a Final Note by the Second
Member of Council re: Bill further to amend the
Mysore Registration Regulation, 1903,
for His Highness' gracious approval.

Mina M. Ismail
Dewan.
14-2-36

Subject.—

Bill further to amend the Mysore Registration Regulation

1. These papers relate to a proposal to amend Section 12 of Mysore Registration Regulation.

2. There are two classes of Sub Registrars, viz., Special Sub Registrars and ex-officio Sub Registrars. The power of appointing Special Sub Registrars has been delegated to the Inspector General of Registration, who is empowered under Section 12 to suspend, remove or dismiss the Special Sub Registrars appointed by him. Where no Special Sub Registrar is appointed to a registration sub district, the Sheristedar of the taluk or the Deputy Amildar of the sub taluk will be ex-officio Sub Registrar at such taluk or sub taluk.

3. As the law at present stands, the Inspector General of Registration has no disciplinary control over the ex-officio Sub Registrars who are primarily officers of the Revenue Department; on the other hand, the Regulation makes no provision for delegating to the District Registrar any disciplinary powers over Sub Registrars. It is considered desirable that the District Registrars should be vested with some powers of punishment in respect of Sub Registrars, whether special or ex-officio. The Inspector General of Registration may exercise appellate powers over the orders of the District Registrar, Government having only the revisional powers. The accompanying bill is designed to amend the Registration Regulation for the purpose.

82534 4. The Dewan and the First Member of Council have agreed to the proposed amendment. I solicit the gracious sanction of His Highness to place a statement of general principles of the bill before the Representative Assembly and the bill itself before the Legislative

4028/235
P 40

2048
H

General and Revenue
Secretariat

Regis File No.

3

of 193(.

[App. F. III-2

Serial
No.

S

H.

609

under clause (a) of the Go. O 16-7-1930, the
file may be referred to Law Deptt. (with
bill already app^d by the Second Member
B.W. 20/2/36.

Gen. Secy) 20/2/36
H
24/2

Law Deptt.

Legis

20/2/36

6
27/2/36

The Bill follows the
of the Law Deptt. & seems
to be all right. It is for consideration
of the words "under sub-sections
(2) or (3)" may not be added at
Reg. in Sub. Section (4) is
as to make it clear that
the powers of revision are in
respect of proceedings under
the Section.

SE
25/2

Proposed Subclause (4) re. revisional
powers of Govt read as if Govt will have
revisional powers in respect of all persons.

Amendment of the Mysore Registration Regulation

5646/35

File No.

W 28/2

of 193

General and Revenue
Secretariat

of the Registrar & the S.R. The intention is
to confer powers of revision in respect of
proceedings regarding punishing delinquent
The words "under subsections (2) and (3)" will
be added after the words "proceedings" in
article (4) to make this clear.

(This is indicated in ink in the draft bill).
(Number)

2/27/36

Approved
Mull

3/27/36

6-27-36

This may be sent to the Secy.
for further action.

3/8/36

For Secy

8/2/36

A copy of statement containing general
principles of the bill is put up. After approval.
The bill will be passed on to Law Dept.
under clause (e) of the G.O. of 16/7/30

12/4/36

Genl Secy
W 4/3

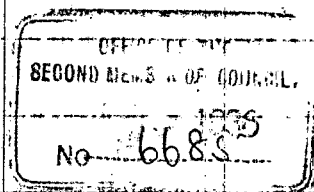
Ans
W 3

11-3-36

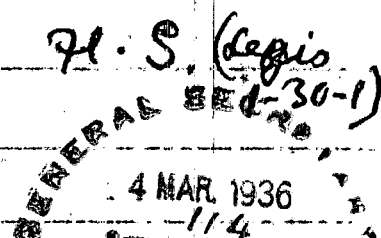
may be sent to Law Dept for further action

11/3/36

Law Dept - wey



10/4/3



Legis
11/3

Key Ref. (5646) 42
D. 1478

General and Revenue
Secretariat

File No.

of 193

[App. F. III-2]

Serial
No.

If approved the statement will
be got typed and copies sent to
R. A. office
3/6
11/3

20 R. A. office with typed
of the statement of general
principles

3 Copies taken & file return
to the Prop. Gr)

BDM
16/3/36

The statement of general form
has been reviewed for the
the order for the A. & S.
Said. for orders of the
and is to be published
Rule 8 of the Rules for
being introduced in the
June Session of the.

28th May is the last
day for publication
Said. for orders.

This will be published under
Rule 8 for being placed before the L.C.

OFFICE OF THE SECRETARY
LEGISLATION

OFFICE OF THE
SECOND MEMBER OF COUNCIL
21 MAY 1936
No. 9034

DEWAN'S OFFICE
23 MAY 1936
No. 7217

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—13-7-35

23-5-36

2nd Member
Dewan
16/5/36

22/5/36

Three typed copies of the
Bill & its objects and
reasons are put up.

may be sent to the
office for publication
in the Gazette.

SG
26/5 LC office
26/5
26/5/36

Three copies taken & file put to Prot^y B^y W.C).

26/5/36

The general principles have
been accepted by the R.A.

The Bill has already been
published in the Gazette.

Now for order in the
motion for introduction of
the Bill in the L.C. may
be included in the agenda.

So is also for orders
if it is necessary to
refer the Bill to a select
committee.

see
4/6/36

Draft motion in report of

6
4/6

5646

Registration (Amendment)⁴⁴General and Revenue
Secretariat.

File No.

11 of 1936

[App. F. III-2]

OFFICE OF THE
SECOND MEMBER OF THE COMMISSION

6 JUNE 1936

NO. 9519

- 5 JUNE 1936
91

The following motions may be included in the agenda:

- (a) motion that the Bill put under rule 8 of the rules of business be read in to
(b) motion that the Bill be read now be referred a select committee.

~~Deleted by the members~~

Sec (c) motion that the rule 8 of business and standards orders be suspended & Bill passed

Sec
5/6

Gen Sec)
2nd Member)

Ind 5/7/36 6/6/36

Ind
6/6/36.

20 L. C. copies
Sec
4/6

u
7/6

The Bill was passed at 2. e in June and sent of H. H. has been received on 14/7/36.

Subd with a draft for publishing the Reg-

Sec
29/7

Ind

NOTE-Contn. Sheet.



- Prep note
for

112: 1 G. O no 850 of 31/7/36
publishing Regn. II of 1936
print and sent to the
and sent to the
A. C. V.

Views of Govt

3

~~Agrees to the above orders~~
The dt Region to be given powers of punishment over both Ex-officio & spt: Sub-Region.

one J. G. R. to have appellate & revisional powers over the dt Region's orders as for as spt: Sub-Region are concerned.

Appeals against the Ex-officio Sub-Region over dt Region's orders should be given to Govt for orders under J. G. R. re-Regionisation.

Note: - views of J. G. R. called for on the above lines to modify existing orders.

By
8/3/34

Views of Mr. S. H. Srinivasiah.

Agrees:-

- (a) to empower dt Region to punish Ex-officio Sub-Reg.
- (b) - do - spt: Sub-Region of the lower grade pending enquiry subject to spt: J. G. R. to temporary dt Region.
- (c) dt Govt both Ex-officio & spt: Sub-Region up to Rs. 10/-

Agrees -

Suggest amendment of the Reg. to give effect to the above.

View of Mr. S. Srinivasiah.

- (a) Not in favour of giving powers of punishment to dt Region.
- (b) {

Reasons: This power readily used & the not necessary. Mr. S. H. Srinivasiah with practical difficulties & have revised proposals -

- (c) To give both Ex-officio & spt: Sub-Region up to Rs. 10/-
(same view as that of Mr. S. H.)

- (d) J. G. R. to have powers of giving both Ex-officio & spt: Sub-Region up to Rs. 10/-

- (e) J. G. R. to have appellate powers in all cases over dt Region's orders.

In the case of dt. Hindu workers, on dt. Sub-Region, the dt Region over J. G. R. should have every power and a report to be sent to Govt.

Note: It is not clear whether the reports have to be sent to Govt. thru J. G. R. or thru Govt. directly or direct by dt. R. himself.

Bill.

Whereas it is expedient further to amend the Mysore Registration Regulation, 1903, it is hereby enacted as follows: -

1. This Regulation may be called the Mysore Registration Amendment Regulation 193

2. It shall come into force on

3. The following shall be added as Sub Sections (3) and (4) of Section 12 the two paragraphs in the Section as stands at present being numbered as sub sections (1) and (2).

“(3) A Registrar may, by order in writing and subject to such restrictions as the Government may impose, suspend or fine any Sub Registrar subordinate to him. Any Sub Registrar aggrieved by an order of the Registrar under this Section may within 30 days of the date of the order, appeal to the Inspector General of Registration whose order in appeal shall be final”

“(4) Notwithstanding anything contained in this section, Government may call for and examine the records

under Subsections (2) and (3)

47 of the proceedings of the Inspector General of Registration or of any Registrar for the purpose of satisfying itself as to the legality or propriety of any decision or order passed and if in any case it shall appear to the Government that any decision or order should be modified annulled or reversed, Government may pass such orders as it deems fit.

Statement of Objects and Reasons.

Ex-Officio Sub Registrars are primarily officers of the Revenue Department and questions of disciplinary control over these officers by the District Registrars and the Inspector General of Registration for acts of commission and omission in the Registration Department have often come up before Govt. for decision. There is at present no provision in the Registration Regulation giving powers to the officers of the Registration Department over Ex-Officio Sub Registrars. The bill is intended to supply this defect and give some measure of control to the District Registrars

and the Inspector General of Registration.

8

23
24 1 36

mw
34 436

mw
4/2/36

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

General principles

Bill further to amend the
Mysore Registration Regulation
1903

As there is no provision
at present, in the Registrars
Regulation, for satisfactory
disciplinary control by office
of the Registration Dept.
over Ex-officio sub-

who are
primarily
officers of
the Rev.
Dept.

Registrars, it is proposed
to amend the ^{Regulation 12 of} the Registrars
Regulation by adding
provisions ^{therefor} ~~Sub Sections (3) & (4) of~~

to Section 12 of the Regulation

~~The existing paras were~~

~~being numbered as (1) & (2)~~

^{A provision will be inserted}

2. ~~Sub Section (3) for~~

giving power to the ~~Registrar~~

Registrar to suspend, ^{or} fine

any sub-Registrar ~~subordinate~~

to him subject to such

restrictions as Govt. may

50

and

impose, It also providing
for appeal to the J. G. of

Registration, whose orders in appeal shall be final
or ^{in the absence of} ~~Section (4)~~ ^{with the order}

provided in the revisional
powers of Govt in
respect of proceedings
~~under sub Section (2) & (3)~~

of any the J. G. of Registration
or of any Registrar under the Act or

2nd 6/3

By

KV
4/3

Gen. Secy

4/3

51

GENERAL PRINCIPLES OF THE BILL
FURTHER TO AMEND THE MYSORE REGISTRATION
REGULATION, 1903.

As there is no provision, at present, in the Registration Regulation, for satisfactory disciplinary control by officers of the Registration Department over Ex-officio Sub Registrars who are primarily officers of the Revenue Department it is proposed to amend Section 12 of the Registration Regulation by adding provisions therefor.

2. A provision will be inserted in Section 12 giving power to the Registrar suspend or fine any Sub-Registrar subordinate to him subject to such restrictions as Government may impose and providing for appeal to the Inspector General of Registration.

to the Registrar

Another clause will be added providing for the revisional powers of Government in respect of proceedings of the Inspector General of Registration or of any Registrar under the Section.

for
59
General Secretary to Government

52

NOTIFICATION.

No. 4677—L. C., Bangalore, dated 26th May 1936.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Registration Regulation, 1903, is published for general information with the statement of objects and reasons.

By Order,

C. SUBRAHMANYA AIYAR,

Secretary, Mysore Legislative Council.

Bill further to amend the Mysore Registration Regulation, 1903.

Whereas it is expedient further to amend the Mysore Registration Regulation, 1903, it is hereby enacted as follows :—

1. This Regulation may be called the Mysore Registration Amendment Regulation, 193—

2. It shall come into force on—

3. The following shall be added as Sub-Sections (3) and (4) of Section 12, the two paragraphs in the Section as it stands at present being numbered as Sub-Sections (1) and (2).

“(3) A Registrar may, by order in writing and subject to such restrictions as the Government may impose, suspend or fine any Sub-Registrar subordinate to him. Any Sub-Registrar aggrieved by an order of the Registrar under this Section may, within 30 days of the date of the order, appeal to the Inspector-General of Registration whose orders in appeal shall be final.”

“(4) Notwithstanding anything contained in this section, Government may call for and examine the records of the proceedings under Sub-Sections (2) and (3) of the Inspector-General of Registration or of any Registrar for the purpose of satisfying itself as to the legality or propriety of any decision or order passed and if in any case it shall appear to the Government that any decision or order should be modified, annulled or reversed, Government may pass such orders as it deems fit.”

Statement of Objects and Reasons.

Ex-officio Sub-Registrars are primarily Officers of the Revenue Department and questions of disciplinary control over these officers by the District Registrars and the Inspector-General of Registration for acts of commission and omission in the Registration Department have often come up before Government for decision. There is at present no provision in the Registration Regulation giving powers to the officers of the Registration Department over *Ex-officio* Sub-Registrars. The Bill is intended to supply this defect and give some measure of control to the District Registrar, and the Inspector-General of Registration.

3854

GOVERNMENT OF MYSORE.

REGISTRATION DEPARTMENT.

In reply, refer to

No. *E. 291/31-32*

Encls. *Two*

OFFICE OF THE INSPECTOR-GENERAL OF REGISTRATION
IN MYSORE,

Dated, Bangalore, the *12th* December 1931

FROM

D. SRINIVASA IYENGAR, ESQ., B.A.,

~~XXXXX RAJAGOPALACHARI, ESQ., B.A., XXXXX~~

Inspector-General of Registration in Mysore, Bangalore

TO

RAJASEVAPARAYANA

B. SRINIVASA IYENGAR, ESQ., P.A., B.L.,

Secretary to Government, Financial Department,
Bangalore



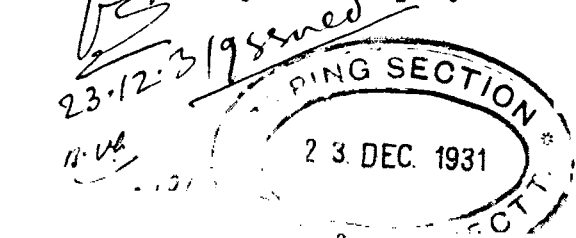
*The records may, I think, be called
for and perused before arriving at a
decision in Sir's matter.*

In forwarding herewith copy of my Order No. Appeal Petn. 1/31-

(2nd member) 12/12
may 12/31
dated 3rd November 1931 in registration Appeal No. Petn. 1/31-32, I have
the honor to state that the Deputy Commissioner, Mysore District, writes
to me requesting that the order passed by me ~~in~~ appeal might be cancelled
for the reasons given by him. I enclose a copy of the letter sent by
in the matter.

Is Council
allowed to
appear in such
matters 1/2
subd
It is not usual
for lawyers to
appear in such
personal cases
& officials
to
12/12
2. As the references will show, in this case, the District Registrar
suspended a Sub-Registrar for three months on account of certain complaints
made against the latter. The Sub Registrar appealed against this order
and I held that the District Registrar had no power to pass such an order
and directed that the period of suspension be treated as leave at the
credit of the Sub Registrar.

Direct Subd
12/12
Issue
23.12.31
12/12
3. The Deputy Commissioner now invites me, in effect, to treat his
order as one passed by a Deputy Commissioner against a Taluk Sheristedar
though it is really passed by the District Registrar against an (Ex-
officio) Sub Registrar, in respect of an act alleged against him in the
course of his registration work and not as Taluk Sheristedar. I ~~therefore~~
~~find~~ find myself unable to accept the view of the Deputy Commissioner.
The matter is however submitted for the orders of Government, as desired
by the Deputy Commissioner.



I have the honor to be.

Sir,

Your most obedient servant.

D. Srinivasa Iyengar

Inspector-General of Registration

Before the Inspector-General of Registration in Mysore, Bangalore

Present.- D. SRINIVASA IYENGAR, ESQ., B.A.,
Inspector-General of Registration in Mysore,
B a n g a l o r e.

Appeal Petition No.1 of 1931-32 presented by Mr.M.V.Srinivasaswamy through his Advocate, Mr. Belur Srinivasa Iyengar, B.A., B.L., Advocate Bangalore City, against the order of suspension for three months passed by the District Registrar, Mysore District, on 25-5-1931.

Facts of the case.

The District Registrar, Mysore District, passed on 25-5-1931 order of suspension for three months on Mr.M.V.Srinivasaswamy Taluk Sheristedar and Ex-officio Sub Registrar on the ground of alleged corruption with regard to a search application presented by one Setty of Nisne village, Heggadadevankote Taluk, on 31-3-1931.

The ^{appellant} ~~applicant~~ has appealed against the order of suspension on the following grounds:-

1. The learned District Registrar is without jurisdiction to pass the order in question.
2. The learned District Registrar himself concedes that there is no evidence to show what passed between the clerk and the Sheristedar.
3. The inference that the seats of the clerk and Sheristedar are close is without foundation.
4. That the Amildar's report is untrue and that the Sub Divisional Officer was influenced by the Amildar.
5. That the maximum search fee is Rs.10/- if particulars are furnished.

O r d e r.

(Appeal of Srinivasaswamy, Taluk Sheristedar and Ex-officio Sub-Registrar)

I have read the records and considered the arguments of Counsel in the matter.

~~It seems to me~~ It seems to me that this appeal must succeed on the ground that the District Registrar has no power to suspend the Sub Registrar. Only the Inspector-General can do it under para 2 of the Government Notification No.F1.2823/Regis.10-28 of 6-10-1928 and Circular No.119-26 dated the 19th August 1899 Registration Manual (p. 54) and even this order has to be formally ratified by Government on the quarterly returns.

In this view, it is unnecessary to consider the other points urged by Counsel such as holding of enquiry by the Taluk Amildar, who has no locus standi under the Registration Regulation, whether the Sub Registrar's conduct was suspicious or not etc.,

The period of suspension of the Ex.officio Sub Registrar therefore be treated as leave of whatever kind he was entitled to at the date of suspension.

There is only one point that I need touch upon here. The appellant was the Taluk Sheristedar. His work is mainly in the Treasury and Revenue Department. The question may be raised whether the Deputy Commissioner is not competent to suspend him. The answer to the question so put is certainly in the affirmative. But in this case, it is in his capacity as a Sub Registrar that he has been punished and hence I think the order passed by the District Registrar must conform to the Registration Regulation and the rules thereunder.

(Sd) D.Srinivasa Iyengar,
Inspector-General of Registration.
3.11.31.

" C o p y "

G. Andappa

For Inspector-General of Registration.

3

Copy of letter No.C.R.128/30-31 dated 3rd December 1931 from -
S.Abdul Wajid, Esq., B.A., District Registrar, Mysore District, Mysore,
D.Srinivasa Iyengar, Esq., B.A., Inspector-General of Registration in Mysore,
Bangalore.

With reference to your No.Pet.3/30-31 dated 3rd November 1931 communicating the order in Appeal Petition No.1 of 1931-32 regarding suspension of Mr.M.V.Srinivasaswamy, Taluk Sheristedar and Ex.officio Registrar at Heggadadevankote and observing that I, as District Registrar cannot suspend the Sub Registrar under para 2 of Government Notification No.Fl.2823 Regis.10-28 of 6th October 1928 and Circular No.119-26 dated the 19th August 1899, Registration Manual (page 54), I have the honor to state that though the authorities cited specifically refer to cases of Special Sub Registrars, the case of Ex.officio Sub Registrars stands on different footing. These latter are invariably Taluk Sheristedars whose appointments, transfers etc., are all within the powers of a Deputy Commissioner who is as well the District Registrar under the statutory provisions of the Registration Regulation (please vide Section 68).

As the power of appointment of Taluk Sheristedars rests entirely with the Deputy Commissioner and as these Taluk Sheristedars are invariably ex.officio Sub Registrars in places where there are no special Sub Registrars, it should follow I think, that the power of awarding punishments to them also vests in him as in the case of other officials of corresponding grades in the Revenue Department. The mere fact that he happens to be an Ex.officio Sub Registrar will not, in my opinion, take away the powers of the Deputy Commissioner to exercise disciplinary control over him in instances of grave irregularities when brought to notice.

As I still feel that the action taken by me was not in contravention of any standing orders on the subject but only in accordance with the powers inherent in me, I request that the matter may be kindly reconsidered and if it is found that the above argument does not hold, my action may be approved or regularised in any manner you deem fit. I submit that a mere irregularity, if at all, should not come in the way of a punishment which a delinquent justly deserves. I daresay you are aware that there is a loud complaint about the mal-practices in almost all the Sub Registry offices in the State and in many cases, I know, the complaint is well based. It is also a fact that in most cases, because of the difficulty of bringing home the guilt the culprit escapes scot free. I have before me a case in which the Sub Registry office Clerks of the Nanjangud Office have taken a sum of Rs.40/- from such a well known citizen as Dharmaprakasa Mr.Banumiah. When that is the plight of a person of standing at the hands of these, the fate of others less prominent in similar circumstances could be better imagined. In the interests of the good name of a very important department I feel that the conduct of the Ex-officio Sub Registrar deserves such notice. If however, you still feel unable to reconsider your decision, I request that the matter may kindly be referred for orders of Government and a definite ruling obtained regarding the procedure to be adopted in cases of the kind under reference.

" C o p y "

G. Rudraiah

For Inspector-General of Registration.

br

SUBJECT

Section *Regio*
File No. *3-31*
Serial No. *24*

Diary No. of letter replied to

No. *Fl. 4930*

General and Revenue Secretariat

()
the 193 .

Date of issue *30-12-31*

Signed by *M^r. V.S. Sastri*

T
The I. G. of Registration
Sir,
With reference to your
no. *C-291/31-32* dated *12th Nov. 19*
~~from the I. G. of Registration in~~
matter of the suspension of the
- officio sub-Registrar of *Messa*
devanahote, I am directed
request that the records of the
may be forwarded to Govt.
reference & return

List of enclosures

Copied by

Examined by

I have, e
VS
22.12.
for file. &
22/12

Postal Address—Post Box No 5.
Telephone No. 221.

Regis. 3-31-26

Tel. Address—"Inregis.," Bangalore.

GOVERNMENT OF MYSORE.

REGISTRATION DEPARTMENT.

No. C 291/31.22
ENCLS. 1 file

OFFICE OF THE INSPECTOR-GENERAL OF
REGISTRATION IN MYSORE,

Dated, Bangalore, the...15th...January...1932.

From

D. SRINIVASA IYENGAR, ESQ., B.A.,
Inspector-General of Registration
in Mysore, Bangalore

To

RAJASEVAPARAYANA
B. SRINIVASA IYENGAR, ESQ., B.A., B.L.,
Secretary to Government,
Financial Department, Bangalore.



Sir,

I have the honor to forward herewith the entire records connected with the suspension of the Ex.officio Sub Registrar of Heggadadevankote as desired in your letter No. Fl.4930/Regis.3-31-24 dated 26/30th December 1931.

I have the honor to be,
Sir,
Your most obedient servant,

D. Srinivas Iyengar
Inspector-General of Registration.

4th
5.1.32
NSN.

6
24th June 1932.

The Inspector General of Registration in Mysore,
Bangalore.

With reference to correspondence ending with your letter N C. 291/31-32, dated 2nd January 1932, re. relative powers of the District Registrar and the Inspector General of Registration in regard to the powers of suspension of Ex-officio Sub Registrars, am directed to state that in the existing rules, the District Registrar/s have no disciplinary powers over Sub Registrars, Special or Ex-officio and that this arrangement is not satisfactory. Government consider that some powers of punishment should be delegated to District Registrars in respect of both classes of Sub Registrars, the Inspector General of Registration being vested with appellate and revisional powers in respect of orders passed by District Registrars in regard to Special Sub Registrars. In the case of Ex-officio Sub Registrars, however, such powers cannot be vested in the Inspector General of Registration as Taluk Sheristedars and Deputy Amildars who perform Registration duties are officers of another Department altogether. Appeals against and representation for revision of orders passed by District Registrars in the case of Ex-officio Sub Registrars might be submitted to Government through the Inspector General of Registration. I am, in these circumstances, to request you to suggest very early the lines on which the Government Order dated 8th October, 1928 may be modified. This may kindly be treated as immediate.

The records are herewith returned for convenience and return with your report.

I have the honor to
Sir,
Your most obedient

SUBJECT

.....

.....

Section *Regis*

File No. *3-31*

Serial No. *57*

Diary No. of letter replied to

No.

Flgion Ruons

To

the I. G. of Registration

Sir,

General and Revenue Secretariat

()

the

193 .

Date of issue

24/6/32

E 29/1/31-32 & 2/1/1932 re: relat

Signed by

M Bm

powers of the D^r. Registrar and

the I. G. of Registration in regard

to the powers of suspension

of Ex-Officio Sub-Registrar

I am directed to state that

in the existing rules, the D^r

Registrar has no disciplinary

powers over Sub-Registrar

Special or Ex-Officio and the

this arrangement is not satis-

factory. Govt. consider that

some powers of punishment should

List of enclosures

Copied by

Examined by

[Signature]

be delegated to District Registrars
in respect of both classes of
Sub-Registrars, the J. G. of Registration
being vested with appellate ^{and revisional} powers
in respect of orders passed by D^r
Registrars in regard to Spl. & sub-Registrars.
In the case of Ex-officio Sub-Registrars
however, such powers cannot
be vested in the J. G. of Registration
as Taluk Sheristadars & Dy. Amildars
who perform Registration
duties are officers of another
Dept. altogether. Appeals against,
and representations for revision
of, orders passed by D^r Registrars
in the case of Ex-officio Sub-Registrars
might be sub^d to Govt. for orders
through the J. G. of Registration.

I am, in these circumstances, to
request you ~~to~~ to suggest the lines
on which the Govt. order dated 8th Oct. 1928
may be modified, ~~pending orders~~
~~on the question case in question.~~
This may kindly be treated as ~~unofficial~~ ^{unofficial}

" I have etc

For 22/6/32. J. G. of Registration
to Mr. J. G. of Registration

The records are
herewith returned
for convenience of
return with your
report

(Since for a
order has
been passed)

Postal Address: -
POST BOX No. 5.

Regis 3-31-64

Tel. Address: -
"INREGIS." BANGALORE

GOVERNMENT OF MYSORE.

REGISTRATION DEPARTMENT.

In reply, refer to
No. C 291/31-32
Encls One file of records
as per pherist.

OFFICE OF THE INSPECTOR-GENERAL OF REGISTRATION
IN MYSORE,

Dated, Bangalore, the 9th July

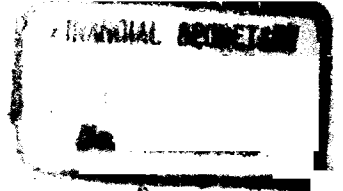
FROM

S. HIRIANNAIYA, ESQ., M.A., B.L.,
Inspector-General of Registration in Mysore.



S. SHAMANNA, ESQ., B.A.,

Offg. Secretary to Government of His Highness the Maharaja of Mysore,
Financial Department, Bangalore



SIR,

With reference to your letter No. Fl. 9104/Regis. 3-31-37
24th June 1932 re: the lines on which Government Order dated 8th
1928 may be modified, I have the honor to state that I quite agree
certain powers of disciplinary control should be given to the District
Registrars and suggest the following :-

1. (a) To empower the District Registrars to suspend the Extra-Sub Registrars.
- (b) To empower the District Registrars to suspend the Special Sub Registrars of the lower grade pending inquiry subject to the approval of the Inspector-General - such orders with brief resume of the facts leading to them to be forthwith communicated to the Inspector-General.
2. To empower the District Registrars to fine the Ex-officio as well as the Special Sub Registrars of both the Grades up to Rs 100.
3. The appellate and revision powers on the orders of the District Registrars to be vested in the Inspector-General in the case of Special Sub Registrars; but appeals in the case of Ex-officio Sub Registrars who are generally either Taluk Sheristedars or Amildars to be submitted to Government, for orders through the Inspector-General.

4. I wish to add that the Registration Regulation has to be

be suitably amended before these powers are delegated to the
District Registrars

I have the honor to be,
Sir,
Your most obedient servant,

W. H. H. H. H.

Inspector-General of Registration.

13.02

11.7.32

NSN/9-7-32.

11

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

FINANCIAL SECRETARIAT,

No. *7c 886 (Receives)*

Dated, Bangalore, 10th August 1932.

Reg-3.31.15

From

XXXXXXXXXXXXXXXXXXXX
S. SHANMUGA, Esq., B. A.

The XXXXX

Financial Secretary to the Government of His Highness the Maharaja of Mysore.

Development Department

To

The Inspector General of Registration in Mysore.

B a n g a l o r e.

Sir,

With reference to the correspondence ending with your letter No.C.281/31-32 dated 2th July 1932, re: the powers of the District Registrar and the Inspector General of Registration in the matter of taking disciplinary action in the case of Ex-Officio Sub-Registrars, I am directed to state that under the existing orders, a District Registrar has no power to punish Ex-Officio Sub-Registrars and that the District Registrar, Mysore was therefore not right in placing under suspension, The Ex-officio Sub-Registrar in question, viz., Mr. Trinivasaswamy of Leggadadevankote Taluk.

2. I am also to observe that there is no provision in the Registration Regulation or the Rules there under allowing appeals to the Inspector General of Registration against orders passed by a District Registrar in regard to the conduct of Ex-officio Sub-Registrars. The entertainment therefore, by the Inspector General of Registration of the appeal of Mr. M.V. Trinivasaswami against the order of the District Registrar, Mysore was not in order. Circular No.112-26 dated 19th August 1899 has been superseded by Government Notification No.F1.28/23/Regis. 10 of 28 dated 6/8th October 1928 which refers to special and not to Ex-officio Sub-Registrars. The Inspector General of Registration was not therefore right in relying upon these two authorities, in entertaining the appeal and in modifying the order of the District Registrar.

3. As regards the merits of the case, I am to state that the records show that the evidence against the Ex-officio Sub-Registrar and the Clerk is not conclusive for establishing that they demanded an excessive fee with a corrupt motive and that according to the view expressed by you, the period of their absence from duty may be treated as leave.

4. In this connection, I am to observe that lawyers have been allowed to appear both before you and the District Registrar ^{and} argue the cases of the Ex-Officio Sub-Registrar and the Clerk. There was not need for permitting this procedure. Inquiries into the conduct of Government Officers in regard to acts in their office

Official capacity should be made by the duly constituted departmental authorities and except in very exceptional cases, it should not be necessary to permit such officers to present their cases through counsel.

5. The question of delegating to District Registrars some disciplinary powers to be exercised in regard to both Ex-Officio and Special Sub-Registrars is separately under consideration.

I have the honour to be,

S i r,

Your most obedient servant.

Sd/- D. Srinivasa Iyengar

Secretary to Government,
Development Department.

M.R.4.
10-8.

Memo No. *HC 887 + 888* Dated, Bangalore, the 10th August 1932.

Copy of the above, is forwarded, with compliments, to the *DT Dept Secy + Comps*

Exm

SUBJECT

Revised Draft

Section *Regis*

File No. *3-31*

Serial No. *65*

Diary No. of letter replied to

No. *7C 886 (Records)*

To *the G. G. of Registration*

Sir,

General and Revenue Secretariat

()

the

193 .

Date of issue

12/8/32

Signed by

M. B. M.

List of enclosures

Copied by

16/8/32

Examined by

With ref. to the

correspondence ending with your letter No. C-291/31-32 of 9th July 1932 re: the power of the District Registrar and the G. G. of Registration in the matter of taking disciplinary action in the case of Ex-officio Sub-Registrars, and direct to State as ~~under~~ the existing orders, District Registrar has no to punish Ex-officio Sub-Reg and that the District Registrar Mysore was therefore no

right in relying under Suspension
the Ex-officio Sub-Registrar in
relation viz in the case
of Heggedadevanahote Taluk.

2. I am also to observe that
~~at present~~ there is no provision
in the Registration Regn or the
Rules thereunder allowing appeals
~~to the~~ to the G. of Registration
against orders passed by a D^r Registrar
in regard to the conduct of Ex-officio
Sub-Registrars. The entertainment
therefore, by the G. of Registration
of the appeal of M^r M. Srinivasa
Swami against the order of

the D^r Registrar, Mysore was not
in order. ~~The~~ ^{NO. 119-26} circular dated
19/8/1899 ~~defining the disciplinary~~
~~powers over Sub-Registrars~~ has been
superseded by the Govt ^{Notification No 725-23/Regd 10 of 25}
dated ⁶8/10/1928 ~~which refers~~
to Special Sub-Registrars & not
to Ex-officio Sub-Registrars.

The G. of Regis. was not therefore
right in relying upon these

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

two authorities in ¹⁵entertainment
the appeal & in modifying the
order of the D^h. Registrar.

3. As regards the merits
the case, I am to state
that the records show that
the evidence against the
Ex-officio Sub-Registrar
and the Clerk is not enough
for establishing that they
demanded an excessive fee with
a corrupt motive, and that
according to the views expressed
by you, the penes of their absence
from duty may be treated as
leave.

4. In this connection, I am
to observe that ~~both~~ lawyers
have been allowed to appear
both before ^{you & the} Registrar
& have argued the cases of the
Ex-officio Sub-Registrar & the
Clerk. There was no need of
permitting this procedure.

Enquiries into the conduct of
Govt. officers in regard to acts
in their official capacity, should
be made by the duly constituted
departmental ~~authorities~~ ^{in very} ~~exceptional~~ cases, it
should not be necessary to permit
such officers to present their
cases through ~~their~~ ^{their} ~~co-~~ ^{co-} ~~ordinators~~.

5. The question of promo-
tion of delegating to the
D^r Registrars ^{Some} the disciplinary
powers ^{to be exercised in regard to both} ~~over~~ the Ex-Offi-
 & the Ex-Offi. ~~in~~ ^{under} Registrars &
be treated separately, ^{under} consider

I have, etc

Ames
8/5/32

6/15/32 Devl Secy

Copies to (1) The D^r Registrar, Mysore
887 (2) The Comptroller - (as suspension & leave
are involved)
888

7/12/32
4/16

SUBJECT

.....

.....

Section *Reps*

File No. *3-31*

Serial No. *66*

Diary No. of letter replied to

No. *2110*

To *The L. G. of Rajasthan*

Sir,

General and Revenue Secretariat

()

the 193

*In continuation of
this office letter no. *2110* 886
Reps. 3-31-*

Date of issue

30/8/32 ~~*12/8/1932*~~ *re: disciplinary
control over Sub Reps.*

Signed by

M. B. M.

*I am directed to request
that a draft embodying
amendments to the Reps.
Regulation in accordance
with the proposals contained
in your letter no. *C-291/31-52**

List of enclosures

8/9/7/1932 *may kindly
be forwarded to Govt.*

Copied by

*See
12/8/32*

*for consideration at an
early date* *I have, etc*

Examined by

26/8/32

*For order
T. M.
2.24/8*

28th August 1932

Il 1201.

3c

The

Ag.

18

The Inspector-General of Registration
in Mysore, Bangalore.

In continuation of this office letter No.Fl. 886/Regis.3-31-65 dated 12th August 1932 regarding disciplinary control over Sub-Registrars, I am directed to request that a draft embodying amendments to the Registration Regulation in accordance with the proposals contained in your letter No.C.291/31-32 dated 9th July 1932 may kindly be forwarded to Government for consideration at an early date.

I have the honor to be,
Sir,
Your most obedient servant,

[Signature]

Exh
Ta

For Secretary to Government,
Development Department.

Postal Address: -
POST BOX No. 5.

Regis. 3-31-69. Tel Address: -
"INREGIS," BANGALORE

GOVERNMENT OF MYSORE.

REGISTRATION DEPARTMENT.

In reply, refer to

No. 291/31-32

Encls

OFFICE OF THE INSPECTOR-GENERAL OF REGISTRATION
IN MYSORE,

Dated, Bangalore, the 7th February 1933

FROM

D. SRINIVASA IYENGAR, ESQ., B.A.,

Inspector-General of Registration in Mysore.

2450

S. ABDUL WAJID, ESQ., B.A.,

Secretary to Government of His Highness the Maharaja of Mysore,

Development Department, Bangalore.

To
8 FEB. 1933

SIR,

With reference to your letter No. Fl.1201/Regis. 3-31-66 dated 28th/30th August 1932 and the subsequent reminder thereon requesting me to forward a draft amendment to the Registration Regulation regarding the disciplinary control over Sub Registrars, I have the honor to state that on a careful study of the proposal made by my predecessor, I find it somewhat defective in certain respects and not free from difficulties in practical working.

I understand that the system of Ex-officio Sub Registrars obtains in some of the British Indian Provinces. I am addressing the Inspector-Generals of those Provinces for a copy of their Rules re: the disciplinary control over such Sub Registrars etc., On receipt and study of the same I will submit detailed proposals in the matter.

I have the honor to be,
Sir,

Your most obedient servant

D. Srinivasa Iyengar

Inspector-General of Registration

13-14
7.2.33

non/7-2-33.

Regis 3-31-70

Postal Address: -
POST BOX No. 5.

Tel. Address:-
"INREGIS., BAN"

GOVERNMENT OF MYSORE.

no

REGISTRATION DEPARTMENT.

In reply, refer to No. <u>C.29.1/81-82</u> — 2853 Encls

OFFICE OF THE INSPECTOR-GENERAL OF REGISTRATION
IN MYSORE,

Dated, Bangalore, the....9th..February.....

FROM

D. SRINIVASA IYENGAR, ES., B.A.,
Inspector-General of Registration in Mysore.

TO

S. ABDUL WAJID, ES., B.A.,
Secretary to Government of His Highness the Maharaja of Mysore,
Development Department, Bangalore.

SIR,

Adverting to correspondence ending with Financial Secretary's letter No.9104 dated 24th June 1932, regarding the powers of the District Registrars and the Inspector General of Registration over Ex-Officio and Special Sub Registrars, I have the honour to state that, as stated by me on a former occasion, the proposals made in this behalf by my predecessor are not free from certain practical difficulties and objects

2. Those proposals are that:-

(a) the District Registrars should have power

- (i) to suspend any Ex-Officio Sub Registrar (for how long it is not stated);
- (ii) to suspend Special Sub Registrars but only of the lower grade and pending approval of the Inspector-General; this action being followed immediately by submission of a brief resume of the facts for the information of the Inspector-General;
- (iii) to fine both Special and Ex-Officio Sub Registrars up to Rs.10/-

and (b) in the case of Special Sub Registrars appeals lie from the District Registrar to the Inspector General of Registration., but in the case of Ex-Officio

Ex-Officio Sub Registrars only to Government. The Inspector-General apparently not having any voice in the matter.

3. I tried to get clear and full data as to the practice obtaining in some of the British Indian Provinces, but the replies are too meagre and scrappy and are calculated more to confuse rather than enlighten one. Under these circumstances we are reduced to consider the matter on the merits in the light of our own experience in the State.

4. I am with my predecessor in thinking that some delegation of powers to District Registrars in the matter of disciplinary control over Sub Registrars is quite necessary. But, I think that there is no great need to give power to the District Registrar to suspend Sub Registrars. Even the Inspector-General rarely feels the need for this power (which in any case to be exercised with caution). Further it stands to reason that the powers of control of the Head of the Department should be larger than that of the District Registrar. The Inspector-General Registration should therefore have the power of calling for and - - ords or punishing these Officers on his own motion, such as when a section of an Office reveals irregularities etc., I therefore submit the said proposals may be revised as follows:-

- (a) The Inspector-General should have the power of fining both the Special and Ex-Officio Sub Registrars up to Rs.15 (Clause 5 of Notification No.Fl.2823/Regis.10-28 dated 6th - October 1928 being modified to this extent)
- (b) The District Registrars should have power to fine both Special and Ex-Officio Sub Registrars up to Rs.10/-.
- (c) The Inspector-General should have appellate and revision powers over the orders of District Registrars in all cases.
- (d) In the few cases-not more than 5, I think-of Deputy Amildars being Sub Registrars, these powers are not to be exercised by either the District Registrar or Inspector-General, but a report may be sent up to Government and their orders - obtained.

5. I request very early sanction of Government may kindly be obtained to

2?

to these proposals, which will then be worked up and submitted in due course.

I have the honour to be,

S i r,

Your most obedient servant,

D. Srinivasa Iyengar.

Inspector-General of
Registration.

11.12
9.2.24

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYS

General and Revenue Secretariat

23

Dated, Bangalore, 20th December 1934.

No.

25301

223

Reg. 3-33

From

The General Secretary to the Government of His Highness
the Maharaja of Mysore.

To

The Inspector General of Registration in Mysore,
Bangalore.

Sir,

With reference to correspondence ending with your letter No.C.291/31-32 dated 9.2.1934, re: disciplinary control over Ex-officio Sub Registrars, I am directed to request that proposals for the amendment of the Regulation, if necessary may be submitted to Government on the basis of the views of Mr. Hiriannaiah as regards District Registrars, the Inspector General of Registration having appellate powers over all the orders of the District Registrar and Government having only revisional powers.

I have the honor to be,

Sir,

Your most obedient servant,

21.12.34.

General Secretary to Government

Dr. B.

K.V.R.2/20.12.34.

SUBJECT

Section

File No.

Serial No.

Regis
3-31

Diary No. of letter replied to

No.

225301

To

The D. G. R

General and Revenue Secretariat

()
the 193 .

Date of issue

22/12/34

Signed by

M. K.

List of enclosures

Copied by

Examined by

Sir,

With ref. to correspondence ending with your letter No. C. 291/31-32 & 9-2-34 re disciplinary control on Ex-officio Sub-Registrar I am directed to ~~state~~ request that proposal for the amendment of the Regulation, if necessary, may be submitted to Govt. on the basis of the view of Mr. Hirannmah a Refund & Registrar

²⁵
The J. G. R. having
appellate powers over
all the members of the JK
Legislature and Govt. having
only revisional powers,
I have, etc

19.12.34.

To G. S. S.

B. 18/12

GOVERNMENT OF MYSORE

REGISTRATION DEPARTMENT.

26

No. 2291/38-32

ENCLS. *two*



OFFICE OF THE INSPECTOR-GENERAL OF
REGISTRATION IN MYSORE,

Dated Bangalore, the 15th November 1935
16

FROM

D. SRINIVASA IYENGAR, Esq., B.A.,

Inspector-General of Registration in Mysore.

To

VENKATESA IYENGAR, Esq., M.A.,

General Secretary to the Government of His Highness the Maharaja of Mysore,

Bangalore. ~~XXXXXXXXXX~~

16 NOV 1935

SIR,

With reference to correspondence ending with your letter No. Fl. 3483/Regis. dated 1st November 1935 regarding the amendment of the Registration Regulation, I have the honour to enclose a draft of the same for the approval of Government.

I have the honour to be,

Sir,

Your most obedient servant,

Marayana

Assistant Commissioner,
For Inspector-General of Registration.
(Absent on Tour)

15/11/35

CONFIDENTIAL

REGISTRATION OF MEMBERS

11-11-1955

2048

11-11-1955

11-11-1955

11-11-1955

11-11-1955

11-11-1955

11-11-1955

11-11-1955

11-11-1955

11-11-1955

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N O T I F I C A T I O N .

In exercise of the powers conferred under the amendments made to Sections 6, 11 and 12 of the Mysore Registration Regulation, by Regulation IV of 1928 and Regulation of 1935 and in modification of Government Notification No Fl. 2823/Regis.10-28 dated 6th/8th October 1928 the Government of His Highness the Maharaja of Mysore are pleased to delegate to the Inspector-General of Registration and the District Registrars the following powers of appointments, /punishments, promotions and transfers of Sub-Registrars:-

I. Powers of the Inspector-General.

1. To appoint Sub-Registrars of the Lower Grade (Rs.50-5- subject to the rules of recruitment laid down by the Government and the submission of quarterly returns to Government.
2. To suspend Sub-Registrars of the Upper Grade (Rs.110-8 pending enquiry and for not more than 3 months as a punishment, subject to the formal sanction of Government obtained on quarterly returns.
3. To withhold periodical increments in respect of both the Lower and Upper Grade Sub-Registrars.
4. To impose fines on all Sub-Registrars.
5. Transfers of all Special Sub-Registrars (to be notified in the Official Gazette by the Inspector-General)

II. Powers of the District Registrars.

1. To suspend the Ex-Officio Sub-Registrars and the Special Sub-Registrars of the Lower Grade pending inquiry and for not more than one month as a punishment subject to the approval of the Inspector-General - such orders with a brief resume of the facts leading to them to be forth-with communicated to the Inspector-General.
2. To fine the Ex-Officio as well as the Special Sub-Registrars of both the Grades up to Rs.10/-.
3. All orders passed by the District Registrars are ~~subject to~~ to appeal to the Inspector-General who may revise

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confirm them at his discretion.

III. Government reserve to themselves the right to revise
all orders passed by the Inspector-General or District
Registrar.
~~Registration.~~

Marayana
Assistant Commissioner,
For Inspector-General of Registrations
(Absent on Tour)

8
15/11/26.

28

Bill further to amend the Mysore Registration Regulation, 1903

Whereas it is expedient further to amend the Mysore Registration Regulation 1903, it is hereby enacted as follows:-

1.

(1) This Regulation may be called the Mysore Registration Amendment Regulation, 1935.

(2) It shall come into force on the first day of

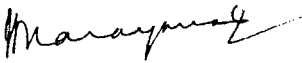
2. Delete the words 'appointed by him' occurring in Sub-Section 2 of Section 12 and insert the word 'all' between the words 'of' and 'Sub-Registrars' in the same Sub-Section.

As amended, the Paragraph will read as follows:-

" The Government may suspend, remove or dismiss any person appointed under the provisions of this Regulation and appoint another person in his stead and the Inspector-General of Registration may, subject to such restrictions as the Government may impose, exercise the like power in the case of all Sub-Registrars."

3. The following shall be added as Sub-Section 3 to Section 12.

"The District Registrars may, subject to such restrictions as the Government may impose, suspend or fine the Sub-Registrars appointed under the provisions of this Regulation."


Assistant Commissioner,
For Inspector-General of Registration
(Absent on Tour)

By
15/11/35

Also
MD
ul

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE. 30

Order No. P850 legis 11-36-1 Dated Bangalore, 31.7. 1936.
Enc 1.

Ordered that the accompanying Regulation for the
to amend the Mysore Registration Regulation
~~1903~~ 1903
which received the assent of His Highness the Maharaja, on the
fourteenth day of July 1936 be published as Regulation
No. VII of 1936, in the Mysore Gazette for general infor-
mation.

a
General Secretary to Government,
Local and Legislative Departments.

To--The Compiler, Mysore Gazette, for publication in Part
II of the Gazette, in English and Kannada and for supply
of spare copies in English and Kannada as per standing
orders. Proofs should be sent to this office for approval
before publication.

✓
Copy to Secretariat for review

NOTIFICATION.

*Order No. P. 850—Legis. 11-36-1, Bangalore.
dated 31st July 1936.*

Ordered that the accompanying Regulation further to amend the Mysore Registration Regulation, 1903, which received the assent of His Highness the Maharaja, on the fourteenth day of July 1936, be published as Regulation No. VII of 1936 in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
*Secretary to Government,
General Department.*

REGULATION VII OF 1936.

*(Received the assent of His Highness the Maharaja
on the fourteenth day of July 1936.)*

**Regulation further to amend the Mysore Registration
Regulation, 1903.**

Whereas it is expedient further to amend the Mysore Registration Regulation, 1903, it is hereby enacted as follows :—

1. This Regulation may be called the Mysore Registration (Amendment) Regulation, 1936.

2. It shall come into force on the first day of September 1936.

3. The following shall be added as sub-sections (3) and (4) of Section 12, the two paragraphs in the section as it stands at present being numbered as Sub-Sections (1) and (2).

“(3) A Registrar may, by order in writing and subject to such restrictions as the Government may impose, suspend or fine any Sub-Registrar subordinate to him. Any Sub-Registrar aggrieved by an order of the Registrar under this section may, within 30 days of the date of the order, appeal to the Inspector-General of Registration whose orders in appeal shall be final.

“(4) Notwithstanding anything contained in this section, Government may call for and examine the records of the proceedings under sub-sections (2) and (3) of the Inspector-General of Registration or of any Registrar for the purpose of satisfying itself as to the legality or propriety of any decision or order passed and if in any case it shall appear to the Government that any decision or order should be modified, annulled or reversed, Government may pass such orders as it deems fit.”

MIRZA M. ISMAIL,
Dewan.

Price 0-0-3.